

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JAVON TURNER,)
)
Defendant.)

**ORDER (1) ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION (DOC. 68), AND (2) DENYING DEFENDANT'S MOTION TO
SUPPRESS (DOC. 59)**

On January 19, 2012, the Honorable Sarah W. Hays issued her Report and Recommendation concluding that the Court should deny Defendant's motion to suppress. Neither party filed objections to the Report and Recommendation, and the time for doing so has passed. 28 U.S.C. § 636(b)(1)(C); Local Rule 74.1(a)(2). Upon careful and independent review of the pending motion, as well as the applicable law, the Court agrees with Judge Hays that the search of, and seizure of evidence from, Defendant's residence was lawful. Accordingly, Judge Hays' Report and Recommendation is adopted as the Order of the Court, and Defendant's motion to suppress is denied.

IT IS SO ORDERED.

DATE: February 7, 2012

/s/ Ortrie D. Smith
ORTRIE D. SMITH, SENIOR JUDGE
UNITED STATES DISTRICT COURT